

### **REMARKS/ARGUMENTS**

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow. Claims 1-3, 7-14, and 16 are amended, and Claim 18 is canceled. Applicants respectfully submit that no new matter has been added to the claims. Claims 6 and 17 were canceled in a previous amendment. After amending the claims as set forth above, Claims 1-5 and 7-16 are now pending in this application.

#### **Claim Rejections Under 35 U.S.C. § 103(a)**

A. Claims 1, 2, 4, 7-9, 11, 12, 14, and 18

In section 4 of the Office Action, Claims 1, 2, 4, 7-9, 11, 12, 14, and 18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over United States Patent No. 6,590,969 to Peters et al. (hereinafter "Peters") in view of United States Patent No. 5,903,833 to Jonsson et al. (hereinafter "Jonsson"). As indicated above, Claim 18 is canceled. Applicants respectfully traverse the rejection with respect to Claims 1, 2, 4, 7-9, 11, 12, and 14..

Claim 1, as currently amended, recites:

establishing a communication link with a terminal;

receiving, through the established communication link,  
information identifying at least one of a user of the terminal or  
the terminal;

**identifying, based at least in part on the received  
information, second information regarding a period during  
which the terminal is to be off or without service;**

**generating a proposal based at least in part on the second  
information, wherein the proposal one or more call  
forward targets for receiving communications directed  
toward the terminal during the period;**

providing the proposal to the terminal; and

receiving, from the terminal, an acceptance which designates at  
least one of the one or more call forward targets for receiving

the communications directed toward the terminal during the period.

(Emphasis added). Claim 11, as currently amended, recites:

a communication system coupled to a first terminal via a communication link, wherein the first communication system is configured to

receive, through the communication link, information identifying at least one of a user of the terminal or the terminal;

**identify, based at least in part on the received information, second information regarding a period during which the terminal is to be off or without service;**

**generate a proposal based at least in part on the second information, wherein the proposal comprises one or more call forward targets for receiving communications directed toward the terminal during the period;** and

provide the proposal to the terminal; and

a home network of the terminal, wherein the home network comprises

a first network element configured to receive a message from the terminal, wherein the message comprises an identification of at least one of the one or more call forward targets; and

a second network element configured to redirect a communication intended for the terminal to the at least one of the one or more call forward targets during the period.

(Emphasis added). Applicants respectfully submit that, alone or in combination, Peters and Jonsson fail to teach, suggest, or describe identifying “second information regarding a period during which the terminal is to be off or without service” “based at least in part on the received information,” as recited in Claims 1 and 11.

Peters is directed toward a method for routing an incoming call based on the service type of the incoming call. (Abstract). Peters discloses that a “facsimile terminal FAX\_T,” a “broadband terminal BB\_T,” and a “mobile terminal MOB\_T” “each register their presence

... to the presence gatherer PRES\_GATH via registration messages sent thereto.” (Col. 3, lines 59-63). The presence gatherer “registers the addresses of the terminals FAX\_T, BB\_T and MOB\_T and memorises [sic] for each of the terminals its capabilities with respect to handling of calls.” (Col. 3, line 66 – col. 4, line 3). If “a fax message is received by the mobile terminal MOB\_T,” the “mobile terminal MOB\_T detects that it is not able to handle the incoming fax message and thereupon informs the presence gatherer PRES\_GATH of the fact that it has received a fax message.” (Col. 4, lines 13-18). In response, the presence gatherer identifies the facsimile terminal for receiving the fax message, “reads the address of this facsimile terminal FAX\_T out its registration memory,” and “sends this address to the mobile terminal MOB\_T.” (Col. 4, lines 23-27). Peters further discloses that “the received address is used by the mobile terminal MOB\_T to forward the incoming fax message to the facsimile terminal FAX\_T.” (Col. 4, lines 31-33).

Thus, Peters is directed toward a system in which a mobile terminal cooperates with a presence gatherer to direct communications received by the mobile terminal to a suitable terminal based on the communication type. As disclosed in Peters, the mobile terminal receives an address of the suitable terminal from the presence gatherer and forwards the received communication to the address. As such, the mobile terminal of Peters is on and operational during the forwarding of communications. Peters fails to teach, suggest, or describe **identifying “second information regarding a period during which the terminal is to be off or without service,”** as recited in Claims 1 and 11. (Emphasis added). Peters also fails to teach, suggest, or describe identifying such “second information” which is based at least in part on received “information identifying at least one of a user of the terminal or the terminal,” as recited in Claims 1 and 11. Peters further fails to teach, suggest, or describe generating “a proposal **based at least in part on the second information**, wherein the proposal comprises one or more call forward targets,” as recited in Claims 1 and 11. (Emphasis added).

Jonsson is directed toward “a mobile terminal that can be used by any person as a personal remote control device to route incoming and outgoing calls.” (Col. 2, lines 29-31). Specifically, Jonsson discloses that a “service node 14 generates a list of fixed telephones that

are available to the user for the purpose of receiving and carrying on incoming (terminating) calls.” (Col. 5, lines 4-7). “These fixed telephones are associated with a registration device ... that has established a registration link with service control module 26 of mobile telephone 20.” (Col. 5, lines 7-10). Jonsson further discloses that “[u]sing the display interface at the mobile telephone, the user thereby has the option of selecting from the list of fixed telephones (less costly alternative) or simply using the mobile telephone to take the incoming call.” (Col. 5, lines 15-18).

Thus, Jonsson teaches a system in which a mobile terminal is used to route incoming calls to either the mobile terminal or to a fixed telephone in proximity of the mobile terminal. The routing selection is made by a user through a user interface of the mobile terminal. As such, the mobile terminal of Jonsson is on and operational during the forwarding of communications. Jonsson fails to teach, suggest, or describe **identifying “second information regarding a period during which the terminal is to be off or without service,”** as recited in Claims 1 and 11. (Emphasis added). Jonsson also fails to teach, suggest, or describe identifying such “second information” which is based at least in part on received “information identifying at least one of a user of the terminal or the terminal,” as recited in Claims 1 and 11. Jonsson further fails to teach, suggest, or describe generating “a proposal **based at least in part on the second information**, wherein the proposal comprises one or more call forward targets,” as recited in Claims 1 and 11. (Emphasis added).

For at least these reasons, Applicants respectfully submit that, alone or in combination, Peters and Jonsson fail to teach each of the limitations recited in Claims 1 and 11. Applicants respectfully request withdrawal of the rejection of Claims 1 and 11 under 35 U.S.C. § 103(a). For at least the same reasons, Applicants respectfully request withdrawal of the rejection of Claims 2, 4, and 7-9, which depend from Claim 1, and Claims 12 and 14, which depend from Claim 11.

B. Claims 5 and 15

In section 5 of the Office Action, Claims 5 and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Peters in view of Jonsson, and further in view of United

States Patent Application Publication No. 2003/0140145 to Lindberg et al. (hereinafter "Lindberg"). Applicants respectfully traverse the rejection.

As discussed above, Peters and Jonsson fail to teach, suggest, or describe identifying "second information regarding a period during which the terminal is to be off or without service," identifying such "second information" based at least in part on received "information identifying at least one of a user of the terminal or the terminal," or generating "a proposal based at least in part on the second information, wherein the proposal comprises one or more call forward targets," as recited in Claims 1 and 11. Lindberg, which is directed toward "a method in a communication system for establishing a session between users," also fails to teach, suggest, or describe such limitations. (Paragraph [0001]).

For at least these reasons, Applicants respectfully request withdrawal of the rejection of Claims 5 and 15.

C. Claims 10 and 16

In section 6 of the Office Action, Claims 10 and 16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Peters in view of Jonsson, and further in view of United States Patent Application Publication No. 2002/0137498 to Goss et al. (hereinafter "Goss"). Applicants respectfully traverse the rejection.

As discussed above, Peters and Jonsson fail to teach, suggest, or describe identifying "second information regarding a period during which the terminal is to be off or without service," identifying such "second information" based at least in part on received "information identifying at least one of a user of the terminal or the terminal," or generating "a proposal based at least in part on the second information, wherein the proposal comprises one or more call forward targets," as recited in Claims 1 and 11.

Goss discloses "a method for providing automatic call-forwarding service for a mobile unit." (Abstract). Specifically, Goss discloses that "when incoming calls are placed to mobile phone 102, call processing determines whether mobile unit 102 is in service." (Paragraph [0023]). [W]hen mobile unit 102 goes out of service, calls intended for mobile

unit 102 are automatically forwarded to the forwarded phone, such as wireline phone 106 or mobile phone 108.” (Paragraph [0022]). “The user of mobile unit 102 preferably subscribes for automatic call forwarding service by entering into an agreement with a wireless service provider.” (Paragraph [0027]). Goss also discloses that “the user of mobile unit 102 can specify, preferably by talking to a service provider/operator or alternately by interacting with an automated system, multiple forwarded phone numbers and the conditions under which calls are forward to specific forwarded numbers.” (Paragraph [0028]).

Thus, Goss teaches a system for forwarding calls of a mobile unit when the mobile unit is without service. Goss fails to teach, suggest, or describe identifying “second information regarding **a period during which the terminal is to be off or without service**,” as recited in Claims 1 and 11. (Emphasis added). As disclosed in Goss, “call processing determines whether mobile unit 102 is in service.” (Paragraph [0023]). As such, the system in Goss does not receive information regarding the period during which the mobile unit is to be off or without service, but rather determines that the mobile unit is off (after the mobile unit is already off) based on an inability to communicate with the mobile unit. Goss also fails to teach, suggest, or describe identifying such “second information” based at least in part on received “information identifying at least one of a user of the terminal or the terminal,” as recited in Claims 1 and 11. Goss further fails to teach, suggest, or describe generating “a **proposal based at least in part on the second information**, wherein the proposal comprises one or more call forward targets,” as recited in Claims 1 and 11. (Emphasis added). As discussed above, Goss does not teach or suggest generating a proposal. The forwarding phone numbers disclosed in Goss are provided by a user of the mobile unit based on the user’s preferences. (Paragraph [0028]).

For at least these reasons, Applicants respectfully submit that, alone or in combination, Peters, Jonsson, and Goss fail to teach each of the limitations recited in Claims 1 and 11. For at least the same reasons, Applicants respectfully request withdrawal of the rejection of Claims 10 and 16, which depend from Claims 1 and 11, respectively.

D. Claims 3 and 13

In section 7 of the Office Action, Claims 3 and 13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Peters in view of Jonsson, and further in view of United States Patent Application Publication No. 2002/0115471 to De Loye et al. (hereinafter “De Loye”). Applicants respectfully traverse the rejection.

As discussed above, Peters and Jonsson fail to teach, suggest, or describe identifying “second information regarding a period during which the terminal is to be off or without service,” identifying such “second information” based at least in part on received “information identifying at least one of a user of the terminal or the terminal,” or generating “a proposal based at least in part on the second information, wherein the proposal comprises one or more call forward targets,” as recited in Claims 1 and 11. De Loye, which is directed toward “a man-machine-interface for enabling the end-user to select to which office devices the call should be forwarded,” also fails to teach, suggest, or describe such limitations. (Paragraph [0045]).

For at least these reasons, Applicants respectfully request withdrawal of the rejection of Claims 3 and 13.

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for

such extension under 37 C.F.R. §1.136 and authorize payment of any such extensions fees to  
Deposit Account No. 19-0741.

Respectfully submitted,

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